

SELF SERVICE CENTER

INSTRUCTIONS FOR REQUEST FOR ORDER OF ASSIGNMENT EX PARTE (WITHOUT NOTICE)

DEFINITIONS:

“Obligee” is the person or agency entitled to receive support payments.

“Obligor” is the person ordered to make support payments.

Throughout these instructions the terms **“employer,” “wages,” and “paycheck”** are used. However, this Request for Order of Assignment Ex Parte (without notice) may also be used in situations where a person is asking for an assignment of the Obligor's **other monies such as lottery winnings or worker's compensation payments.**

COMPLETE THIS FORM TO REQUEST AN EX PARTE ORDER OF ASSIGNMENT IF:

- You are the Obligee and there is an Arizona order establishing a support obligation or spousal support (maintenance) obligation, including past-due amounts,
- OR
- You are the Obligor and you want to begin a voluntary assignment.

TO COMPLETE THIS FORM AND FILE THE REQUEST YOU WILL NEED:

- Information from the Order(s) you want to enforce.
- Attach a certified copy of the Order establishing the support obligation to the request, if that order was issued in an Arizona county other than the one where you will file this request.
- Attach a certified copy of the most recent order requiring payment on past-due support amounts to the request, if that order was entered in an Arizona county other than the one where you will file this request.

NOTE: These forms do not apply if your support order is not from Arizona. In that case, you may want to contact the state child support enforcement agency where your order was entered, the Department of Economic Security child support enforcement agency, in Arizona, or a private attorney regarding enforcement.

Family Court Post-Decree Coversheet

Print or type in black ink.

Case Type: Check only one box that matches the legal procedure for which you are filing the documents in this packet.

Case Number: Write in the case number of the original case whose decision or order you are asking the Court to change or enforce.

Information About the Petitioner (*in the original action*): Regardless of who started *this* action for change or enforcement, write in the information, if you know it, for the person who was the Petitioner *in the original case*. If the Petitioner's address is protected, simply write "Protected" on the address line. If you are the Petitioner, and you want your address protected, DO NOT write your address on the coversheet. When you file your papers, tell the Clerk of the Court you want your address protected and they will give you a special form to complete. If you are the Petitioner and a lawyer represents you, write in the lawyer's name and bar number.

Information about the other party, the Respondent (*in the original action*): Regardless of who started *this* action for change or enforcement, write in the information, if you know it, for the person who was the Respondent

in the original case. If the Respondent's address is protected, simply write "Protected" on the address line. If you are the Respondent, and you want your address protected, DO NOT write your address on the coversheet. When you file your papers, tell the Clerk of the Court you want your address protected and they will give you a special form to complete. If you are the Respondent and a lawyer represents you, write in the lawyer's name and bar number.

Minor Children Involved: List the names, dates of birth, and social security numbers for any minor children involved in this specific case.

Other Minor Children: If there are other children of either the Petitioner or the Respondent or both not involved with this case, list their names on the lines provided.

Other court cases: Check the appropriate box to tell this Court if either you or your spouse have been involved in any other cases, except a minor traffic offense, in any other court. If you check the Yes box, please describe the case, including case numbers and court location.

Domestic Violence Section: Answer the questions listed regarding domestic violence. This information will help court staff determine if this issue is relevant to this case.

Children's Issues Section: Answer the questions regarding the children you listed on *the "Family Court Cover Sheet."* This information will help court staff determine if these issues are relevant to this case, and/or whether a case exists in this Court already regarding any child you listed.

Interpreter: If you or your spouse need an interpreter, check the box for the appropriate party, one or both.

Language: Check the box to indicate whether the interpreter is needed for Spanish or other language. If "Other", write in the language. This information helps the court estimate the need for interpreters. It is **NOT** an official request for an interpreter.

Location: If you are filing your documents in Phoenix, check the Downtown Phoenix box. If you are filing your documents in Mesa, check the Mesa box.

FOLLOW THESE INSTRUCTIONS:

- **TYPE OR PRINT NEATLY USING BLACK INK.**
- Match each numbered step in the instructions with the item on the attached form that has the same number.

1. Type or print the name, address and telephone number of the person filing the Request. Include your **ATLAS** number if your case is a title IV-D case. (An attorney who is filing the Request must also list the name of the person represented and the attorney's State Bar number.)
2. Type or print the name of the county in which this request is being filed. (This may already be printed on the form.)
3. Type or print the name of the person shown as the petitioner on the support order.
4. Type or print the name of the person shown as the respondent on the support order.
5. If the order establishing support was issued in a county other than the one where you are filing this Request, leave this item blank. If the order was issued in the county in which you are filing this Request, fill in the case number that appears on the support order.
6. Type or print the date of the most recent Arizona court order establishing or modifying child support and/or spousal support payments.
7. Type or print the name of the Obligor (person ordered to make payments).
8. Type or print the name of the judicial officer (judge or commissioner) of the Superior Court in Arizona who signed the most recent order establishing or modifying the support obligations.
9. Mark this box if there is a court order establishing the child support obligations requiring the payment of a certain amount for a given time period. Then give the details from the order. **(EXAMPLE: Child support of \$200 per month due on the 10th day of each month, or \$50 per month due on the 1st and 15th day of each month.)**

10. Mark this box if there is a court order establishing the spousal maintenance obligation requiring the payment of a certain amount for a given time period. Then give the details from the order.
(EXAMPLE: Spousal support of \$100 per month due on the 10th day of each month.)
11. Mark this box if you are the Obligee (person entitled to receive support) and the Obligor (person required to pay support) owes court ordered past-due support. Then give the details from the order.
(EXAMPLE: Past-due spousal support of \$100 per month due on the 10th day of each month.)
12. Mark this box if there is a court ordered obligation and no order of assignment exists, and you are the Obligee or you represent an agency entitled to receive support.
13. Mark this box if you are the Obligor (person required to make payments) and you want your employer to deduct the support payments (plus fees) from your paycheck.
14. Mark this box if you want to include a payment on a past-due amount and specify the amount you want to include in the assignment to be paid on past-due amounts.
15. **Identifying Information. Type or print the following information**
 - A. OBLIGOR**
 1. Obligor's complete name: first, middle and last.
 2. Obligor's social security number, if you know it.
 3. Obligor's date of birth.
 4. The name and complete address of the Obligor's employer or other payor.
 - B. OBLIGEE**
 1. Obligee's complete name: first, middle and last.
 2. Obligee's social security number and date of birth.
 3. If the person is entitled to receive the money, type or print that person's mailing address, including zipcode. This address is not required to be the person's residential address.
 4. If an agency is entitled to receive the money, type or print the agency's name and mailing address.
 - C. CHILDREN** (This applies to all children for whom support is to be paid under the Order.)
 1. Full name for each child: first, middle and last.
 2. Date of birth for each child.
 3. Social security number for each child.
16. Date and sign on this line before a Notary Public or Court Clerk to affirm that the information on the Request is true and correct to the best of your knowledge. If you represent an agency, give the name of the agency.
17. Leave these items blank. The Notary Public or Clerk will complete them.

WHEN YOU HAVE COMPLETED THIS FORM:

- File the request with the Clerk of the Superior Court. The fee for filing for this process, as of January 1, 1998, is \$61.00. There may be additional fees, including an appearance fee if this is the first time you have appeared in this case. If you cannot pay these fees, you may request that the fees be waived or deferred. The Clerk of the Superior Court and the Self-Service Center have the necessary forms to request a waiver or deferral. You may file your request at any one of the following locations:

The Clerk of the Superior Court
Central Court Building
 201 West Jefferson, 1st floor
 Phoenix, Arizona 85003

The Clerk of the Superior Court
Southeast Court Facility
 222 East Javelina Drive, 1st floor
 Mesa, Arizona 85210

The Clerk of the Superior Court
Northwest Court Facility
 14264 West Tierra Buena Lane
 Surprise, Arizona 85374

- If one of the parties is using the child support services of the **Division of Child Support Enforcement (DCSE)** (This case has an **ATLAS** number) a copy of the Request and a copy of the **"Order of Assignment"** must be mailed to: Attorney General, Child Support Enforcement, P.O. Box 6123, Site Code 775C, Phoenix, AZ 85005.